

Notice of Allowability

Application No.

09/819,975

Applicant(s)

BRUCE, ELISA M.

Examiner

Art Unit

C. Michelle Colon

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Supplemental Amendment filed 9/21/05.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/29/01
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

ALLOWANCE

1. The following is an Examiner's statement of reasons for allowance in response to the communication received on September 21, 2005. Claims 1, 2, 4, 7, 13, 14-16 and 18 have been amended by Applicant. Claims 1-20 are now pending in this application.

2. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with James Armstrong, IV on December 8, 2005. The application has been amended as follows:

In the claims:

Please cancel claims 13-20. Please insert in line 1 of Specification: This application claims priority from provisional application Serial No. 60/226,576.

Reasons for Allowance

3. Claims 1-12 are allowed.

4. The following is an Examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, a method of controlling a process having activities to achieve desired goals, the method including the steps of: mapping the activities, with each activity having a scheduling component

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and an operational component, based on their time scheduling relative to each other, wherein an activity map will organize activities based on the relative importance of the scheduling component versus the operational component for each activity and the relative importance of scheduling/operation is selected from the group consisting of: 80-100%/0-20%; 65-80%/20-35%; 50%/50%; 20-35%/65-80% and 0-20%/80-100%; measuring metrics of at least one scheduling driver and an operations driver; using the drivers to create a predictive equation for the response of the process; and controlling the process by using the evaluation of the driver metrics as feedback for controlling current drivers and predicting and selecting new drivers, if new drivers can affect the scheduling and performance greater than the currently selected drivers, such that the desired goals of the process are achieved.

The prior art most closely resembling Applicant's claimed invention is Chapman et al. (U.S. 5,255,181).

Chapman et al. teaches a method for planning organizational activities by translating complex process flow networks into schedules in which a plurality of tasks are balanced against each other in order to achieve the goal of the organization. However, Chapman et al. does not teach mapping activities, with each activity having a scheduling component and an operational component, based on their time scheduling relative to each other, wherein an activity map will organize activities based on the relative importance of the scheduling component versus the operational component for each activity and the relative importance of scheduling/operation is selected from the

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group consisting of: 80-100%/0-20%; 65-80%/20-35%; 50%/50%; 20-35%/65-80% and 0-20%/80-100%; measuring metrics of at least one scheduling driver and an operations driver; using the drivers to create a predictive equation for the response of the process; and controlling the process by using the evaluation of the driver metrics as feedback for controlling current drivers and predicting and selecting new drivers, if new drivers can affect the scheduling and performance greater than the currently selected drivers, such that the desired goals of the process are achieved.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- "Network Capacity Management," *Capacity Management Review*, Mar 1992 [retrieved from Proquest] discusses process management for supporting business goals;
- Papke-Shields, Karen Elizabeth. "Strategic manufacturing planning: Examining the relationship between planning system design, manufacturing context, and

planning effectiveness," *University of South Carolina*, 1997 [retrieved from Proquest] discusses strategies for manufacturing planning;

- Keeler et al. (WO 00/20939) discusses a method and system for monitoring and controlling a manufacturing system using neural network models; and
- Horst (U.S. 5,715,181) discusses a method for process monitoring using statistical analyses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae (formerly, C. Michelle Colon) whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for Patents

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P.O. Box 1450

Alexandria, VA 22313-1450

or faxed to:

703-872-9306 [Official Communications; including After Final
communications labeled "Box AF"]

571-273-6727 [For status inquiries, draft communication, labeled
"Proposed" or "Draft"]

Hand delivered responses should be brought to:

United States Patent and Trademark Office

Customer Service Window


Randolph Building

401 Dulany Street

Alexandria, VA 22314


cmc

December 10, 2005


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600